

REMARKS

Claims 34-53 are pending in this application. Claims 1-33 have been previously cancelled. In view of the terminal disclaimer filed herewith, Applicants believe that the rejections have been rendered moot and that the present application is in condition for allowance.

Double Patenting Rejection

Claims 34 through 53 currently stand rejected under judicially created doctrine of obviousness-type double patenting based upon U.S. Patent No. 6,543,404, claims 1 through 34 and at times in further view of U.S. Patent No. 6,133,398 or 5,947,073. Without acquiescing to the validity of the double patenting rejections, Applicants are filing herewith a terminal disclaimer to remove U.S. Patent No. 6,543,404 as a reference and place the present application in condition for allowance. Applicants believe that the filing of this terminal disclaimer renders all of the rejection moot.

Telephone Conference with Examiner McMahon

Applicants would like to thank Examiner McMahon for the courtesy and time extended to Applicants Representative James M. McPherson during a brief telephone conference on October 11, 2006. During that conference, Applicants Representative discussed with Examiner McMahon certain references that were considered during prosecution of parent Patent Application No. 10/318,926, filed on Dec. 13, 2002, but which have been inadvertently left off form PTO/SB/08A. Specifically, Applicants pointed out references U.S. Patent No. 5,630,387, to Kamiyama, and U.S. Patent No. 5,273,010, to Elder. The Applicants Representative stated that while he believes these references appear to be cumulative, in view of the prior art already submitted for consideration, Applicants wanted to ensure that the Examiner was made aware of these references.

In Response, Examiner McMahon stated that, as a matter of practice, she reviews the prosecution history of any parent application for prior art cited therein and likely already considered the above two references to be cumulative relative to the references already of record or not relevant. Examiner McMahon further stated

that she would reconsider and/or confirm that these references do not affect patentability of the pending claims.

CONCLUSIONS

In view of Applicants' remarks and the terminal disclaimer, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 04-1512 for any fee which may be due.

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